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SUBJECT: NIGERIA: POL/ECON UPDATES FOR FEB 15-29, 2008

REF: A. ABUJA
[1](#)B. LAGOS 70

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[1](#)1. (U) Following is a joint Embassy Abuja-ConGen Lagos
compilation of February 15-29, 2008 political/economic
highlights, which did not feature in our other reporting,
covering:

- Elections: Tribunals, Reforms, Party Politics
- Niger Delta
- Human Rights, Labor, TIP
- Economic News
- Oil and Gas

ELECTIONS: TRIBUNALS, REFORMS, PARTY POLITICS

[1](#)2. (U) Adamawa: On February 26 the Court of Appeals upheld
the decision of the Adamawa election tribunal and nullified
the election of Governor Nyako (PDP). The appellate court
ordered Nyako to vacate office; the Speaker of the State
House of Assembly has been sworn in as acting governor
pending a fresh election, now scheduled for April 12.

[1](#)3. (SBU) Katsina: Although President Yar'Adua prevailed at
his own tribunal February 26, his son-in-law Badamasi Kabir,
who is a member of the House of Representatives, was not so
lucky. The election of Representative Kabir (PDP, Katsina)
was annulled February 27 by the Katsina election tribunal on
grounds that the election had not been carried out in
substantial compliance with the electoral act (another
Yar'Adua son-in-law had his election as Kebbi governor
annulled last October). However, Kabir told Polspecialist
that, in addition to exercising his right to appeal the
verdict, there were behind the scenes moves underway to
strike a "compromise" between him and the petitioners.

[1](#)4. (U) After first winning at their state election tribunals,
Governors Mamman Ali (ANPP) of Yobe State and David Jang
(PDP) of Plateau State also had their elections upheld by the

Court of Appeals February 26. (Note: Gov. Ali still faces a legal challenge from Al-Bishir, another ANPP governorship aspirant who claims he rightfully won the party's nomination. Al-Bishir has lost his case in lower courts, but has vowed to appeal to the Supreme Court.)

15. (U) Benue: The ruling PDP has had a difficult time at the state's Election Tribunal. The elections of all three of Benue's Senators have now been overturned, including that of Senate President David Mark (ref A) and five members of the House of Representatives and many members of the Benue State House of Assembly, including the Speaker, have also lost at tribunal. The nullifications of the elections of all these PDP officials were made on grounds of irregularities in the April 2007 elections, but in each case the legislators have appealed the verdicts.

16. (U) Akwa Ibom: The Court of Appeal on February 18 upheld the state Election Tribunal's ruling in favor of the sitting governor of Akwa Ibom state, Godswill Akpabio (PDP). The Election Tribunal rejected the All Nigeria People's Party (ANPP) petition on the grounds that the application was incomplete and not signed by all petitioners.

17. (U) The Osun State Election Tribunal rejected Action Congress (AC) governorship candidate Rauf Aregbesola's request to call a forensic expert as one of his witnesses. The tribunal held that the candidate's lawyer had not offered the expert, who had reviewed the election materials, at the time the materials were submitted to the tribunal by Governor Oyinlola and INEC, nor did the candidate inform the court during pre-trial motions of his intent to call the witness. (Note: The Ekiti tribunal did allow the testimony of a forensic expert. End note)

18. (U) An Oyo State High Court judge asked to be removed from a 2006 case in which Oyo State godfather Lamidi Adedibu (PDP) is alleged to have hired thugs to intimidate witnesses during the impeachment proceedings against former governor Rashidi Ladoja. The judge claimed that, because his brother is a member of the PDP, he would not be able to remain objective in judging the case.

19. (U) The same Lamidi Adedibu was selected as a delegate for the upcoming People's Democratic Party convention by the Ibadan South-West local council of the party. Parallel congresses were held in Ibadan by the Adedibu faction and a faction opposed to Adedibu's control of the party. Each congress produced its own slate of candidates.

110. (U) A federal appeals court on February 19 set aside the verdict of the Anambra State Election Tribunal which ruled in favor of a petition filed by nine opposition candidates in the matter of the election of former presidential advisor Andy Uba (PDP) as governor. The court ruled that the tribunal exceeded its authority by nullifying both the election and inauguration of Uba on the basis of the Supreme Court decision reinstating Governor Peter Obi. The appeals court stated that the tribunal should have ruled on the merits of the petition, then declare that their own ruling had been overtaken by the Supreme Court ruling. The judgment has set the stage for Uba's claim that he should take up the position of Governor when Obi's tenure ends in March 2010.

NIGER DELTA

111. (U) Broadcast stations reported on February 27 the kidnapping of the wife and children of an Elf-Total manager in Port Harcourt. They were reportedly kidnapped while departing church; the abductors are demanding naira 80 million (\$700,000). The nationalities of the kidnap victims are unknown.

112. (SBU) The Special Assistant to former Rivers Governor Peter Odili was reportedly kidnapped on February 24. He was abducted outside his church in Port Harcourt, Rivers, according to security sources. Press reports suggest his

kidnappers demanded naira 50 million (\$425,000) for his release.

¶13. (SBU) Security sources claim an AGIP manager kidnapped outside his residence in Port Harcourt on February 20 was released the following day.

¶14. (U) The release of Mrs. Lulu-Briggs, wife of a PDP chieftain and business mogul, on February 7 was immediately followed by the kidnapping of Professor Anah, former Provost of the College of Health and Sciences, University of Port Harcourt, in Rivers State.

¶15. (SBU) Comment: These kidnappings remind us of the rampant criminality in Rivers State and, despite Governor Amaechi's purported efforts to improve security (ref B), unrest continues. However, the frequency and number of these kidnappings may bring pressure to bear on the Governor. End Comment.

HUMAN RIGHTS, LABOR, AND REFUGEES

¶16. (U) According to media reports, between 15 and 50 people may have been killed by policemen in Adavi Local Government Area, Kogi State between Feb. 24 and Feb. 27. The violence reportedly started Feb. 24 when during an industrial dispute "local hoodlums" attacked the police, killing two officers, injuring three others, and abducting a police corporal. The police combed the area on Feb. 25 to search for their abducted colleague, but they reportedly also committed reprisal attacks on the local community, burning houses and vehicles and allegedly killing members of the community.

¶17. (U) In a report released February 25, Amnesty International called Nigeria's prisons a "national scandal." The human rights group explained that only 35% of Nigerian inmates have been convicted in court and that many prisoners wait decades to face trial. Poor prison conditions and severe overcrowding exacerbate the situation. Amnesty says that there are about 700 prisoners on death row in Nigeria, some of whom were convicted by the Sharia courts. More than 200 of the death row inmates have been awaiting death for over ten years.

¶18. (SBU) The head of the Islamic Network for Development (IND), Lai Olurode, told Poloffs that his group seeks to empower women, provide microfinance opportunities, and boost employment and community well-being throughout the Southwest. IND offers assistance and works through local NGOs helping IND secure the communities' trust in their activities. Olurode has worked with NGOs to improve employment options through cottage industries.

¶19. (SBU) Olurode warned religious inequality could be a problem for Nigeria, especially as it relates to access to education and employment. He claims he knows of a Muslim doctor refused a job (after having been approved on paper) because she showed up to work veiled. Olurode thought inter-religious issues, especially at private universities, could "explode."

ECONOMIC NEWS

¶20. (U) A Chinese shipping company has expressed interest in building a \$12 billion seaport at the Olokola free trade zone between Ondo and Ogun states. Chinese Oversea Shipping Company (COSCO) is to build the port on a Build Own Operate and Transfer (BOOT) basis with a 40 year lease. A Memorandum of Understanding (MoU) between the two states and a consortium of the African Finance Corporation and Western Metal Product Company was signed in Hong Kong in December ¶2007. If the project proceeds, it would be one of the largest port and trade investments in western Africa.

¶21. (U) Minister of Health, Prof. Adenike Grange, said Nigeria has an alarming rate of 800 to 1500 maternal deaths

per 100,000 live births as well as neonatal deaths of 48 to 11000. She stated that lives of many children could be saved each year if they were reached by preventive and curative interventions. The Minister noted that it is important to focus on the importance of girl-child education to reduce maternal and neonatal deaths and to ensure optimal health for mothers and newborns. She added that a comprehensive home-grown mother and child care incentive must be articulated and driven by public-private partnership.

¶22. (U) The Lagos State government has withdrawn a 2.7 trillion naira (approximately \$23 billion) lawsuit against six tobacco companies, filed to recoup costs associated with treating tobacco-related illnesses. Defendants included Phillip Morris and British American Tobacco. The suit was claiming costs for 40 years' worth of "injuries and losses resulting from the defendants' negligence or breach of duty." Several of the companies named still face federal level suits, as well as suits in two other states.

PETROLEUM

¶23. (U) The Senate Committee on Petroleum asked that an arrest warrant be issued for the Group Managing Director of the Nigerian National Petroleum Corporation Engineer Abubakar Yar,Adua (no relation to the President) for allegedly frustrating the committee in carrying out its oversight functions. Chairman of the committee, Senator Lee Ledogo Maeba, in a letter to the Inspector General of Police Mike Okiro, requested that the IG compel Yar,Adua to appear before the committee.

¶24. (SBU) The truck drivers strike against contractors employed by Chevron Oil Nigeria continues. Chevron reports that 244 of its 360 retail gas stations are without fuel. The company is trying to find a work around to resume deliveries. The strike began after Chevron suspended a trucking contractor for unsafe practices. Almost all of Chevron's refined supplies are trucked across the country from its import terminal in Lagos.
SANDERS